

REMARKS

The rejections presented in the Office Action dated August 10, 2005 have been considered. Claims 7 and 11 are canceled without prejudice, and independent claims 1, 10, 14, and 15 are amended to clarify the invention. Claims 1-6 and 8-10, and 12-17 are pending in the application. Reconsideration and allowance of the application are respectfully requested.

The Office Action does not show that claims 1-17 are anticipated by US Patent Publication No. 2001/0039535 to Tsiounis et al. ("Tsiounis") under 35 USC §102(e). The rejection is respectfully traversed because the Office Action fails to show that all the limitations of the claims are taught by Tsiounis.

Claim 1 as originally filed included limitations of a plurality of adapter modules adapted to receive the payment requests from the data communications devices at the respective channels via a plurality of adapter modules corresponding to each of the communication channels, each of the adapter modules having a payment processing application configured to identify a financial institution identification code associated with the merchant identification code and interface with a data processing system of the financial institution consistent with a communications protocol associated with the identified financial institution. These limitations are not shown to be taught by Tsiounis.

The Office Action cites Tsiounis' Abstract and paragraphs 0007, 0008, and 0023-0069 as teaching these limitations. However, there are no apparent elements of adapter modules that perform the claimed functions, nor does the Office Action cite any particular elements of Tsiounis as corresponding to the adapter modules. Independent claim 10 is amended to include similar limitations, and independent claims 14 and 15 as originally filed include similar limitations. The independent claims as amended include further limitations that clarify the role of the adapter modules relative to different protocols of the different channels and communications devices, and these limitations are also not apparent in Tsiounis. Therefore, claims 1, 10, 14, and 15 are not shown to be anticipated by Tsiounis.


Claims 2-6 and 8-9 depend from claim 1, claims 12 and 13 depend from claim 10, and claims 16 and 17 depend from claim 15. These claims are not shown to be anticipated by Tsiounis for at least the reasons set forth above. Furthermore, the Office Action only generally cites the same paragraphs of Tsiounis in rejecting all of

these claims and does not provide any guidance as to which elements of Tsiounis are thought to correspond to the various claim limitations. The cited sections of Tsiounis do not contain elements that are easily identifiable as corresponding to the many of the claim limitations. Further clarification is requested if the rejection is maintained so that the issue may be further considered.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the remarks set forth above. No extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (HPCO.080PA).

Respectfully submitted,

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